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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,845	03/18/2004	Yuichi Araumi	250626US2	5063
22850	7590	10/20/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER PARK, CHAN S	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 10/20/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/802,845	<b>Applicant(s)</b> ARAUMI, YUICHI	
	<b>Examiner</b> CHAN S. PARK	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of Species I (Claims 1-16) in the reply filed on 7/1/08 is acknowledged.

***Claim Objections***

2. Claims are objected to because of the following informalities:  
Claim 1, line 8, "a instruction" should be -- a instruction --;  
Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 4, 13 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**Claim 1** recites the limitation "the process instruction" in line 9. There is insufficient antecedent basis for this limitation in the claim. Furthermore, the examiner respectfully requests the applicant to explain the difference between the process instruction description and the instruction description identification. Are they all included in the process instruction? Clarification/explanation from the Specification is respectfully requested.

**Claim 4** recites the limitation “the obtain request” in line 9. There is insufficient antecedent basis for this limitation in the claim. Furthermore, it appears that the process instruction description is initially transmitted from the requesting part. It is unclear if the same instruction is sent back to the requesting part.

**Claim 13** recites the limitation of “a process instruction sending part indicating the instruction description identification obtained from the identification obtaining part”. It is confusing as to what is being indicated to the instruction description identification. Furthermore, it is unclear as to where the process instruction is sent to. Clarification/explanation from the Specification is respectfully requested.

**With respect to claim 16**, arguments analogous to those presented for claim 13, are applicable.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyoshi et al. U.S. Patent Application Pub. No. 2001/0049703 (hereinafter Miyoshi).

**With respect to claim 1**, Miyoshi discloses an image forming apparatus for forming an image, comprising:

a process indication receiving part receiving a process indication indicating an execution of a process from a requesting part (transmitting print execution command with control No. from PC 100 in S1134 in fig. 8); and

a process executing part executing the process in accordance with a process instruction description specified by a instruction description identification indicated by the process instruction (printing the data in S1144 of fig. 8).

**With respect to claim 2**, Miyoshi discloses the image forming apparatus as claimed in claim 1, further comprising a process item sending part sending process items to the requesting part in response to an obtain request for obtaining the process items set in the process instruction description from the requesting part (S1272 in fig. 11).

**With respect to claim 3**, Miyoshi discloses the image forming apparatus as claimed in claim 1, further comprising:

a change request receiving part receiving a change request indicating subject process items of the process instruction description, said subject process items which are subjects of changing (S1260 in fig. 11);

an instruction changing part changing the process instruction description in accordance with the subject process items of changing (S1264 in fig. 11),

wherein when said process instruction receiving part receives the process instruction, said process executing part executes the process in accordance with the process instruction description changed by said instruction description changing part (S1264 in fig. 11).

**With respect to claim 4**, Miyoshi discloses the image forming apparatus as claimed in claim 1, further comprising an instruction description sending part sending the process instruction description to the requesting part in response to the obtain request of the process instruction description from the requesting part (S1258 in fig. 11).

**With respect to claim 5**, Miyoshi discloses the image forming apparatus as claimed in claim 4, further comprising a process instruction description receiving part receiving the process instruction description sent from the requesting part,

wherein when the process instruction receiving part receives the process instruction, the process executing part executes the process in accordance with the process instruction description received by said process instruction description receiving part (S1264 in fig. 11).

**With respect to claim 6**, Miyoshi discloses the image forming apparatus as claimed in claim 2, further comprising an instruction description storing part storing

contents of the process instruction description executed by said process executing part to a predetermined storage area (S1128 in fig. 8).

**With respect to claim 7**, Miyoshi discloses the image forming apparatus as claimed in claim 6, wherein:

the predetermined storage area is externally provided and is externally accessed through a network; and

said instruction description storing part stores contents of the process instruction description to the predetermined storage area through the network (paragraph 0075).

**With respect to claim 8**, Miyoshi discloses the image forming apparatus as claimed in claim 1, further comprising a changing part obtaining information concerning executable process items from said process executing part and changing the process instruction description to an executable process instruction description,

wherein said process executing part executes the process in accordance with the executable process instruction changed by said changing part (fig. 11).

**With respect to claim 9**, Miyoshi discloses the image forming apparatus as claimed in claim 1, further comprising a communication controlling part controlling a communication with the requesting part by a structural description language using a tag (paragraph 0040).

**With respect to claim 10**, Miyoshi discloses the image forming apparatus as claimed in claim 1, further comprising:

a ticket sending part issuing a ticket showing a use permission of a object data set directed to the process in response to a use permission request requesting the use

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permission of the object data set from the requesting part, and sending ticket identification identifying the ticket to the request part (control No. 1112 in fig. 8); and

a providing part specifying the object data set based on the ticket identification indicated by the process instruction received by said process instruction receiving part, and providing the object data set and the process instruction description to said process executing part (identifying the items according to the control no. in S1144 of fig. 8).

**With respect to claim 11**, Miyoshi discloses the image forming apparatus as claimed in claim 1, further comprising:

a use permission determining part determining a use permission based on a password indicated by a use permission request received from the requesting part, the use permission request requesting a use permission of an object data set directed to the process (control no. 1112 in fig. 8).

**With respect to claim 12**, Miyoshi teaches an image forming method executable in an image forming system for executing a process in response to a request from a requesting part, comprising the steps of:

(a) receiving a process instruction instructing an execution of the process from the requesting part (transmitting print execution command with control No. from PC 100 in S1134 in fig. 8); and

(b) executing the process in accordance with a process instruction description including process items to execute in response to the process instruction, said process items indicted by the process instruction (printing the data in S1144 of fig. 8).



**With respect to claim 13**, Miyoshi discloses an information processing apparatus, comprising:

an identification obtaining part obtaining instruction description identification specifying a process instruction description from an apparatus for executing a process, said instruction description identification setting process items (transmitting print execution command with control No. from PC 100 in S1134 in fig. 8); and

a process instruction sending part indicating the instruction description identification obtained from the identification obtaining part and sending a process instruction instructing an execution of the process (printing the data in S1144 of fig. 8).

**With respect to claims 14 and 15**, arguments analogous to those presented for claim 3, are applicable.

**With respect to claim 16**, arguments analogous to those presented for claim 13, are applicable.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571)272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHAN S PARK/  
Examiner, Art Unit 2625

October 13, 2008